



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
9211 Oakdale Avenue
Chatsworth, CA 91311



Arnold Schwarzenegger
Governor

RECORDS
CORNER

July 23, 2008

Certified Mail #7006 2760 0002 9342 9238
Return Receipt Requested

Mr. Jack London
Environmental Health and Safety Manager
Exide Technologies
2700 South Indiana Street
Los Angeles, California 90023

IMPLEMENTATION OF THE HYDROLOGIC INVESTIGATION PORTION OF THE
PHASE 3 RFI WORK PLAN, EXIDE TECHNOLOGIES, 2700 S. INDIANA STREET,
LOS ANGELES, CALIFORNIA, EPA ID NUMBER CAD 097 854 541

Dear Mr. London:

On June 29, 2007, the Department of Toxic Substances Control (DTSC) conditionally approved the Phase 3 RCRA Facility Investigation (RFI) Workplan, Exide Technologies, dated December 22, 2006. The Phase 3 RFI Work Plan (Workplan) addresses off-site extent of contamination and determines the hydrologic control in the vicinity of solid waste management units (SWMUs) SWMU-1 and SWMU-6 and southeast of the Exide facility along Bandini Boulevard. Implementation of the Workplan requires Exide to conduct the work at the adjacent Union Pacific Property.

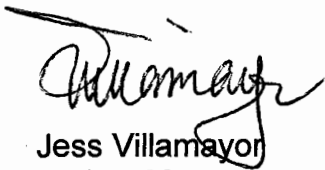
DTSC understands that site access agreement between Exide and Union Pacific is currently being negotiated; however, in order that investigative work continues, DTSC hereby directs Exide to begin implementing that portion of the hydrologic investigation in the Workplan that does not depend on the access agreement. The hydrologic investigation includes installation of monitoring wells MW-16 and MW-17. All conditions for hydrologic investigation described in the Workplan and DTSC's Workplan comments must be included in the course of the field implementation. This work directive does not void or set aside any requirements of the Workplan.

Within thirty (30) days upon receipt of this letter, Exide shall commence the field hydrologic investigation. Additionally, Exide shall summarize in writing the status of the Exide and Union Pacific negotiations for site access, and shall provide DTSC with an estimate of when this agreement is to be signed. A copy of the executed agreement shall be forwarded to DTSC at the above address.

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If you have any questions, please give me a call at (818) 717-6601.

Sincerely,



Jess Villamayor
Project Manager
Brownfield and Environmental Restoration Program – Chatsworth Office

cc: Mr. Fred Ganster
Exide Technologies
13000 Deerfield Parkway, Suite 200
Alpharetta, Georgia 30004

Mr. Steve Armann
Hazardous Waste Management Division
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, California 94105-3941

Mr. Paul G. Stratman, P.E.
Advanced Geoservices Corporation
Environmental Strategies Corporation
1055 Andrew Drive, Suite A
West Chester, PA 19380

Mr. Dennis England, Principal
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15375 Barranca Parkway, Suite F-106
Irvine, California 92618-2207

Mr. Frank J. Hagar, R.G., C.E.G., C.Hg.
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cc: Mr. Philip B. Chandler, R. Geophys.
Unit Chief
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
9211 Oakdale Avenue
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Ms. Wendy Arano, R.G.
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630



Terry Tamminen
Agency Secretary
Cal/EPA

1011 North Grandview Avenue
Glendale, California 91201-2205

Arnold Schwarzenegger
Governor

October 4, 2004

CERTIFIED MAIL

Mr. Thomas Wideman
Exide Technologies
2700 S. Indiana Street
Vernon, California 90023-0957

EMERGENCY MEASURES - EXIDE TECHNOLOGIES, LOCATED AT 2700 SOUTH INDIANA AVENUE, CITY OF VERNON, (EPA ID NUMBER: CAD 097 854 541)

Dear Mr. Wideman:

On September 30, 2004, the Department of Toxic Substances Control (DTSC) requested Exide Technologies (Exide) to take emergency measures to limit public exposure from lead-contaminated sediment in the flood control channel adjacent to your facility from the channel outfall at the L.A. River to the southern boundary of 26th Street. It was also requested that Exide eliminate further deposition of such sediment from the exposed soils which bound the channel.

The bases for this request were sediment samples collected on August 26, 2004, from the channel adjoining the Exide Facility. As Exide is aware, the analytical results indicate some sediments with lead concentrations which exceed the total threshold limit concentration (TTLC), i.e. in one instance over 56,000 mg/kg of lead.

DTSC is pleased that Exide submitted, within one day of our meeting, an e-mail proposal for emergency measures. DTSC hereby approves the proposal for emergency measures. Within thirty (30) calendar days of the date of this letter, Exide must commence implementing the proposed emergency measures that include: (1) grading of the exposed soils along the channel from northwestern boundary of Exide facility and 26th Street to the south end of the facility and Bandini Blvd. ; (2) removal of all graded soils and slags from the sides of the channel and all sediments within the channel; (3) placement of sandbags at both the east and west portion of the rail spur along the channel as a temporary measure, to prevent surface water run-off from the facility into the channel; (4) covering of remaining exposed soils/fill materials, using gunite, asphalt or a combination thereof, to prevent erosion of contaminated materials into the channel; and (5) processing of excavated contaminated materials in the cupola furnace, or disposal of removed contaminated materials in a permitted hazardous waste landfill.

Mr. Thomas Wideman
October 4, 2004
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In addition, DTSC also requires that Exide submit a work plan for a narrowly scoped RCRA Facility Investigation (RFI) to determine the nature and extent of soil contamination along the channel banks. This RFI workplan should be submitted within thirty (30) calendar days of this letter. An Interim Measures workplan, which will include more permanent barriers at the rail spur, must be submitted within sixty (60) calendar days after DTSC's approval of the RFI work plan. If you have any questions, please contact Mr. Liang Chiang at (818) 551-2964.

Sincerely,

A handwritten signature in black ink, appearing to read "Jose Kou", written over a horizontal line.

Jose Kou, P.E., Chief
Southern California Permitting and Corrective Action Branch
Hazardous Waste Management Program

Certified Mail
7003 3110 0000 3780 4674
Return Receipt Requested

cc: Los Angeles County
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Flood Control Division
900 S. Fremont Avenue
Alhambra, California 91803

Mr. Steve Armann
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75 Hawthorne Street
San Francisco, California 94105

Ms. Orchid Kwei
Office of Legal Counsel
Department of Toxic Substances Control
1001 I Street, 23th Floor/ P.O. Box 0806,
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Mr. Thomas Wideman
October 4, 2004
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cc: Mr. Michael Choe, P.E.
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Southern California Permitting and Corrective Action Branch
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Mr. Andres Cano
Geological Services Unit
Geology, Permitting and Corrective Action Branch
Hazardous Waste Management Program
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Terry Tamminen
Agency Secretary
Cal/EPA



Department of Toxic Substances Control

Edwin F. Lowry, Director
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Arnold Schwarzenegger
Governor

June 25, 2004

Mr. Thomas Wideman
Exide Technologies, Inc.
2700 S. Indiana Street
Vernon, California 90023

CONDITIONAL APPROVAL OF RCRA FACILITY INVESTIGATION (RFI) WORK PLAN
THE SAMPLING AND ANALYSIS PLAN FOR THE OPEN DRAINAGE CHANNEL AT
EXIDE TECHNOLOGIES, INC. VERNON FACILITY, 2700 S. INDIANA AVENUE,
VERNON, CALIFORNIA ; EPA ID NUMBER CAD 097 854 541

Dear Mr. Wideman:

The Department of Toxic Substances Control (DTSC) has reviewed the Sampling and Analysis Plan (SAP) for the Open Drainage Channel at Exide Technologies, Vernon facility, dated June 21, 2004, that was submitted by Advanced GeoServices Corp. on your behalf. This SAP was submitted in response to DTSC's request, dated May 20, 2004, as part of the RCRA Facility Investigation Work Plan.

DTSC hereby approves this SAP subject to the following conditions:

- Even though lead is of paramount interest, a representative portion of the sediment analyses must include all of the constituents-of-concern (COC), e.g. antimony, arsenic, cadmium, chromium, lead, copper, zinc. Bear in mind that some of these other COCs have been risk drivers in the Health Risk Assessment that Exide prepared for the draft Environmental Impact Report (EIR) with respect to its permit application. The subset of samples that need to be submitted for the complete COC analyses will be determined in the field in conjunction with DTSC. A list of COCs needs to be provided to DTSC, at a minimum, two (2) weeks prior to initiating field work.
- The sampling interval for "on-site" samples should be at 50 feet or less within the concrete lined drainage channel within the property. If no sediment is available at the original proposed location, the sample locations can be moved \pm 25 feet to locations where sediment deposition has occurred. However, if no sediment deposition is available, the sample collection using the brush may revert to the proposed 100-foot spacing. The total number of samples collected will depend on the channel conditions

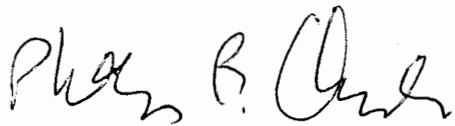
- The sampling interval for "off-site" samples should be at 100 feet or less within the concrete lined drainage channel south of the property. If no sediment is available at the original proposed location, the sample locations can be moved \pm 50 feet to where sediment deposition has occurred.
- While DTSC does not object to the collection of three sediment samples up-channel from Exide, it will not accept these as background without an adequate evaluation of the antecedent wind conditions that demonstrates there was no possibility of influence on the samples from fugitive dust emanating from the Exide Facility.
- Samples that may be required to be analyzed for organic COCs need to be handled differently than those proposed for lead. Sample handling protocols need to be revised to accommodate organic COCs and provided to DTSC, at a minimum, two (2) weeks prior to initiating field work.
- With respect to metals analyses, DTSC recommends that all samples should be analyzed for all metals by US EPA Guidance SW-846, third Edition or more recent publication, Method A6020 by the Inductively Coupled Plasma (ICP)/Mass Spectrometer (MS), especially the sample should be analyzed for antimony, arsenic, cadmium, chromium (total), lead, copper, and zinc.
- With respect to all COC analytes, GNB will provide DTSC a list of the proposed detection and reporting limits, at a minimum, two (2) weeks prior to initiating field work. These limits must be commensurate with the latest U.S. EPA Region IX Preliminary Remediation goals and with various aquatic and faunal standards, goals and Suggested No Adverse Response Levels (SNARLS), etc.
- The site-specific Health and Safety Plan (HASP) must be provided to DTSC, at a minimum, two (2) weeks prior to initiating field work. DTSC will provide comments, if necessary, on the HASP, prior to initiation of field work, that Exide will be expected to incorporate into a final HASP for the field work.
- DTSC requires a minimum of 10 business days notification of field work.
- The RFI Report must contain photographic documentation of each of the sampling locations, written description of the sample locations, sample location maps at an appropriate scale (sampling locations should be precisely located either by survey or GPS), and a description of the accessibility of the sampled locations to humans and fauna.

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Exide is required to begin implementation of the conditionally approved RFI Workplan within sixty (60) calendar days of the date of this letter. An RFI Report is required within ninety (90) calendar days of completion of the field work.

If you have any questions, please feel free to contact me at (818) 551-2921 or Liang Chiang, P.E. at (818) 551-2964.

Sincerely,



Philip B. Chandler, R. Geophys.
Unit Chief
Southern California Permitting and Corrective Action Branch
Hazardous Waste Management Program

cc. Mr. Paul G. Stratman, P.E.
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Mr. Thomas Wideman
June 25, 2004
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